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## Native Hawaiians Reclaim Heritage

Group Seeks Rights as Indigenous People

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HONOLULU -- Like many Hawaiian adults, Tony Sang remembers when schools banned the teaching of Hawaiian language and culture as new American ways enveloped the islands. Living in fast-growing Honolulu, Sang relied on relatives from outer islands for tidbits about the proud kingdom of his ancestors.



Kumu John Lake, second from left, leads a group of native Hawaiians in a chant to open a 2002 Veterans Day event. (Ronen Zilberman -- AP)

The old folks would talk of a thriving people who fished and farmed where tourists now sunbathe and surf, and of traditions that honored ancestors and nature. Later, Sang learned more: about U.S. forces who helped overthrow the Hawaiian monarchy, foreign diseases that decimated the Hawaiian population, and modern economies that buried forests under buildings and emptied waters near the shore of their once bountiful catches.

For more than a century, many native Hawaiians have chafed at the usurping of their sovereignty, finding themselves denied the self-determination granted to Native Americans and Alaskans. Today, they see the very notion of government programs for Hawaiians under attack in federal courts on race-discrimination grounds. Also challenged is the preferential admissions policy of Kamehameha Schools, a prestigious private institution founded by the will of a Hawaiian princess.

Hawaii's political establishment and activists such as Sang are supporting proposed federal legislation to recognize native Hawaiians as an indigenous people, and launch a process to organize a native governing body, with government-to-government recognition.

"What we're hanging our hat on is the effort to reconstitute the native Hawaiian nation," said Sang, who is president of the State Council of Hawaiian Homestead Associations.

Hawaii's all-Democratic congressional delegation expects an uphill fight in the GOP-dominated Congress. But the lawmakers are buoyed by the support of Hawaii's first Republican governor since 1962, Linda Lingle, who they hope can prevail on the Bush administration and, in turn, send a signal to Congress.

Lingle said, "it's going to be very difficult" to sell the bill, given what she called "a general inclination" among Justice Department lawyers against treating Hawaiians like Native American tribes. Still, she said, hope lies in the fact that the White House has not issued formal opposition.

"We're reviewing the issue and listening to the views of the governor and others," said White House deputy press secretary Claire Buchan.

For people such as Sang, a retired firefighter who lives on land that Congress set aside for Hawaiian homesteads in 1920, federal recognition is key to protection against the court challenges to Hawaiians-only programs.

"Federal recognition certainly answers the question that lawyers are arguing in these cases, as to the status of native Hawaiians in our federal system . . . in a way that most people believe validates those programs," said Rep. Ed Case (D). Noting those suits, he called the proposal "the most crucial piece of Hawaii legislation to come before Congress since our statehood bill."

Self-determination would give native Hawaiians, who number one of every five state residents, a chance to make their own choices in such areas as medical care, education, and economic development, said Clyde W. Namuo, administrator of the state Office of Hawaiian Affairs.

OHA is sponsoring a convention next year during which native Hawaiians will discuss formation of a government that, once officially recognized by the Interior Department, also presumably would have a say on such matters as allocation of natural resources, coastal management and land use.

Additionally, proponents of federal recognition are looking forward to the resolution of longstanding issues involving usage and revenue from an estimated 1.6 million acres of former kingdom lands, and how to compensate native Hawaiians for them.

"Eventually, the goal is a better life for all Hawaiians," Namuo said.

History holds the discomfiting facts: Conspirators, backed by U.S. troops, bullied Queen Liliuokalani from the throne in 1893. President Grover Cleveland, when word of the overthrow reached him, called it "a substantial wrong" and urged restoration of the monarchy.

But the coup leaders declared Hawaii a republic and fulfilled their wish for U.S. annexation five years later, first as a territory and then in 1959 as the fiftieth state. The traditional harmonious life of the native people further declined.

Today, "Hawaiians are the sickest, the poorest and the least educated," of the island state residents, Namuo said. "Hawaiians are more likely to die at a younger age than anyone else. The Hawaiians are the third and last indigenous group in the United States. And it really is an issue of extending the federal recognition to that third group -- fairness."

Proponents of the legislation, however, have found little understanding of Hawaiian history in Washington, said Micah Kane, director of the state Department of Hawaiian Home Lands. The issue is new, or only vaguely familiar, to many in Congress and the administration, despite a congressionally approved formal apology in 1993 for the U.S. role in toppling the monarchy, he said.

"We in Hawaii are victims of our own failures. When 7 million visitors come to the state of Hawaii every year, we show them hula skirts and lei," he said. "What we need to understand is these are 7 million people who can go throughout the world and take back what the true essence of Hawaiian culture is." Hawaiians by their generosity, he said, "were a people who could be taken advantage of so easily."

Opposition comes from a small group of senators on grounds that the bill is race-based, said the legislation's author, Sen. Daniel K. Akaka (D). Administration lawyers have raised similar concerns about Native Americans in unrelated legislation.

"This is the reason we continue to use the word indigenous people, to take the attention away from race," Akaka said.

The bill's proponents say Hawaiians deserve self-determination as a political group whose "special relationship" to the U.S. government is upheld by past laws and historical parallels to Indian tribal nations. Critics contend it boils down to discrimination by race.

"There's no possible way that any thoughtful person can say that native Hawaiians are native Americans," said Hawaii lawyer John Goemans, who helped with a successful challenge to a law that prevented nonnative Hawaiians from voting in elections sponsored by the state's Office of Hawaiian Affairs. "What was annexed was a multiethnic republic of which Hawaiians were a minority."

That Supreme Court ruling spawned another case challenging the constitutionality of state agencies that benefit Hawaiians, potentially threatening more than 150 congressionally approved measures worth as much as \$60 million a year for Hawaiian health, education, housing and economic programs, Namuo said.

In her gubernatorial campaign last year, Lingle vigorously courted native Hawaiians, a swing voter group, and promised to use her Bush administration connections to further Hawaii's interests.

Testifying before the Senate Select Committee on Indian Affairs in February, she said, "This bill is vital to the survival of the Native Hawaiian people," and to the character of Hawaii itself.

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